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11 RECEIVABLES PERFORMANCE MANAGEMENT, LLC

12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**

14 **JACQUELINE TAYLOR,**

15 Plaintiff,

16 v.

17 **RECEIVABLES PERFORMANCE**
18 **MANAGEMENT, LLC, a Delaware**
19 **limited liability company, and Does 1-**
20 **10,**

21 **Defendants.**

22 Case No. _____

23 **NOTICE OF REMOVAL**

24 **DEFENDANT'S NOTICE OF REMOVAL**

25 Defendant RECEIVABLES PERFORMANCE MANAGEMENT, LLC
26 hereby files this notice of removal under 28 U.S.C. §1446(a).

27 **A. INTRODUCTION**

28 1. The parties to this action are Plaintiff, JACQUELINE TAYLOR
29 ("Plaintiff") and Defendant RECEIVABLES PERFORMANCE MANAGEMENT,
30 LLC ("Defendant").

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1 2. Upon information and belief, Plaintiff initially filed this case on
2 September 10, 2015, in the Superior Court of California, County of Orange, Case
3 No. 30-2015-00808898-CU-PO-CJC. A true and correct copy of Plaintiff's
4 Summons and Complaint is attached hereto as Exhibit "A."

5 3. On September 15, 2015, Defendant was personally served with the
6 Summons and a copy of Plaintiff's Complaint.

7 4. As Defendant received Plaintiff's Complaint on September 15, 2015,
8 Defendant files this notice of removal within the 30-day time period required by 28
9 U.S.C. §1446(b).

10 13 **B. BASIS FOR REMOVAL**

11 15 5. Removal is proper because Plaintiff's Complaint involves a federal
12 question. 28 U.S.C. §§1331, 1441(b); *Long v. Bando Mfg. of Am., Inc.*, 201 F.3d
13 754, 757-58 (6th Cir. 2000); *Peters v. Union Pac. R.R.*, 80 F.3d 257, 260 (8th Cir.
14 1996); *Mims v. Arrow Fin. Servs.*, 132 S.Ct. 740, 746 (2012). Specifically,
15 Plaintiff has alleged claims that arise under 47 U.S.C. § 227 *et seq.* for alleged
16 violations of the Telephone Consumer Protection Act ("TCPA"). It is therefore an
17 action of which this Court has original jurisdiction under 28 U.S.C. § 1331, and
18 may be removed to this Court by Defendant pursuant to the provisions of 28
19 U.S.C. § 1441(a).

1 6. Venue is proper in this district under 28 U.S.C. §1441(a) because this
2 district and division embrace the place where the removed action has been
3 pending.
4

5 7. Defendant will promptly file a copy of this notice of removal with the
6 clerk of the state court where the action has been pending.
7

8 **B. JURY DEMAND**

9 8. Defendant demands a jury trial.
10

11 **C. CONCLUSION**

12 9. Defendant respectfully requests removal of this action as it
13 involves a Federal question under 47 U.S.C. § 227 *et seq.* for alleged violations of
14 the Telephone Consumer Protection Act
15

16

17 **CARLSON & MESSER LLP**

18 Dated: October 14, 2015

19 By: 
20 David J. Kaminski
21 Stephen A. Watkins
22 Attorneys for Defendant,
23 RECEIVABLES PERFORMANCE
24 MANAGEMENT, LLC
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